

Appl. No.: 09/516,252
Amdt. dated 04/12/2005
Reply to Official Action of January 12, 2005

REMARKS

This correspondence is filed in response to the second Official Action of this request for continued examination (RCE). Currently, Claims 1-37 and 39-92 are pending for examination. The second Official Action rejects Claims 1-3, 6, 7, 9, 10 and 75 as being unpatentable over U.S. Patent Application Publication No. 2002/0010668 to Travis et al., in view of U.S. Patent Application Publication No. 2002/0156661 to Jones et al. The second Official Action then rejects the remaining claims, namely Claims 4, 5, 8, 11-37, 39-74 and 76-92 as being unpatentable over the Travis publication in view of the Jones publication, and further in view of various combinations of U.S. Patent No. 6,574,607 to Carter et al., Web site materials from Lastminute.com, prior art allegedly admitted in the specification and by applicant, and an Official Notice of facts outside the record which are alleged to be capable of instant and unquestionable demonstration of being "well known."

Submitted herewith is a Declaration under 37 C.F.R. § 1.131, establishing conception of the claimed invention prior to the earliest effective filing date of the Travis publication (i.e., January 27, 2000), and due diligence from before Travis's filing up to constructive reduction to practice of the claimed invention on March 1, 2000 when the present application was filed. Based on the Declaration and supporting evidence attached thereto, it is respectfully submitted that, under the doctrine established in *In re Hilmer*, 359 F.2d 859, 149 USPQ 480 (CCPA 1966), Travis is not prior art against the claimed invention. And as none of the remaining cited references, taken either individually or in combination, teach or suggest the claimed invention, Applicants respectfully submit that the rejections of the claims are overcome. Therefore, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.


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CONCLUSION

In view of the remarks presented above, Applicants respectfully submit that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

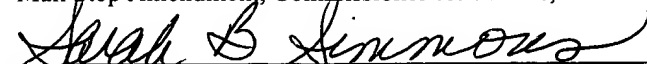
Respectfully submitted,


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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
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Sarah B. Simmons